



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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August 3, 1998

## FY 1998 International and Satellite Services Regulatory Fees

**The Federal Communications Commission issues this Public Notice in order to provide valuable information concerning the payment of regulatory fees in FY 1998. If you are a licensee or authorized entity in any of the services handled by the International Bureau, you should carefully review this Public Notice.**

### WHO MUST PAY REGULATORY FEES IN FY 1998

The following regulatees must pay fees in FY 1998: international public fixed licensees (Part 23), international (HF) broadcast licensees (Part 73), providers of international bearer circuits, earth station regulatees (Part 25), geostationary space station regulatees (Part 25) and direct broadcast satellite licensees (Part 100), and non-geostationary orbit satellite system licensees (formerly low earth orbit satellite systems) (Part 25). Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.* Responsibility for payment of that fee rests with the current holder of the permit or license at the time payment is due. A regulatee will be relieved of its fee payment requirement if its total fee due, including all categories of fees for which payment is due by the entity, amounts to less than \$10.

### WHY THE COMMISSION MUST COLLECT REGULATORY FEES

The requirement to collect annual regulatory fees from international regulatees is contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993." These regulatory fees, which are likely to change each fiscal year, are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. These fees are in addition to any application processing fees associated with obtaining a license or

other authorization from the Commission.

### WHEN FEES WILL BE DUE

**Fee payments must be received by the Commission during the period beginning September 14, 1998, and ending September 18, 1998, in order to avoid a 25% late payment penalty. For FY 1998, installment payments will not be permitted for any service category. All regulatory fees must be paid in full by the September 18, 1998, due date.**

TYPE OF FEE	REGULATORY FEE PAYMENT	FEE CODE
Geostationary Orbit Space Stations and Direct Broadcast Satellite Service Licensees	\$119,000 per operational station	CSG8
Non-Geostationary Orbit Satellite Systems	\$164,800 per operational system	CLE8
International Bearer Circuits	\$6.00 per active 64 KB circuit or equivalent <sup>1</sup>	CIC8
International Public Fixed Radio Service	\$375 per call sign	CFR8
Earth Stations	\$165 per authorization, registration or Hub Station	CAM8
International (HF) Broadcast Stations	\$475 per station license	CRI8

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<sup>1</sup> Equivalent circuits include the 64 KB circuit equivalent of larger bit stream circuits (e.g., the 64 KB equivalent of a 2.048 MB circuit is 30) and analog circuits such as 3 and 4 KHz circuits used for international services. The number of equivalent 64 KB circuits for analog television channels is given by the following table:

ANALOG TELEVISION CHANNEL SIZE (MHz)	NO. OF EQUIVALENT 64 KB CIRCUITS
36	630
24	288
18	240

## **PAYMENT PROCEDURES FOR INTERNATIONAL SERVICES**

### **GEOSTATIONARY ORBIT SPACE STATIONS AND DIRECT BROADCAST SATELLITE SERVICE:**

**WHO MUST PAY:** Entities authorized to operate space stations in geostationary orbit<sup>2</sup> in accordance with section 25.121(d) and direct broadcast satellites (Part 100) whose license was granted on or before October 1, 1997. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

**FEE CALCULATION:** \$119,000 per operational station<sup>3</sup> in geostationary orbit. A fee payment is required "upon the commencement of operation of a system's first satellite as reported annually pursuant to sections 25.142(c), 25.143(e), 25.145(g), or upon certification of operation of a single satellite pursuant to section 25.121(d)". Use fee code "CSG8" on FCC FORM 159 when making payment for space stations in geostationary orbit. Multiple technically identical geostationary satellites co-located at the same orbital location will be considered one station for the purpose of per-space station regulatory fee calculation.

### **NON-GEOSTATIONARY ORBIT SATELLITE SYSTEMS:**

**Who Must Pay:** Entities authorized to operate systems of satellites in non-geostationary orbit under Part 25 to provide communications between satellites and earth stations on a common carrier or private carrier basis. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

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<sup>2</sup> Domestic and international satellites, positioned in orbit to remain approximately fixed relative to the earth, authorized to provide communications between satellites and earth stations on a common carrier or private carrier basis in accordance with section 25.121(d). See 47 CFR § 25.121(d). Entities authorized to operate these space stations in accordance with section 25.121(d) will be assessed an annual regulatory fee of \$119,000 for each operational station in geostationary orbit on October 1, 1997.

<sup>3</sup> Stations operating in accordance with section 25.121(d) as of October 1, 1997.

**FEE CALCULATION:** \$164,800 per operational system<sup>4</sup> in non-geostationary orbit. A fee payment is required "upon the commencement of operation of a system's first satellite as reported annually pursuant to sections 25.142(c), 25.143(e), 25.145(g), or upon certification of operation of a single satellite pursuant to section 25.121(d)". Use fee code "CLE8" on FCC Form 159 when making payment for low earth orbit satellite systems in non-geostationary orbit.

## **INTERNATIONAL BEARER CIRCUITS:**

**WHO MUST PAY:** Facilities-based common carriers activating international bearer circuits in any transmission facility for the provision of service to an end user or resale carrier. In addition, non-common carrier satellite operators must pay a fee for each circuit sold or leased to any customer, including themselves or their affiliates, other than an international common carrier authorized by the Commission to provide U.S. international common carrier services. Private submarine cable operators also are to pay fees for any and all international bearer circuits sold on an indefeasible right of use (IRU) basis or leased to any customer, including themselves or their affiliates, other than an international common carrier authorized by the Commission to provide U.S. international common carrier services. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

**FEE CALCULATION:** \$6.00 per active 64 KB circuit or equivalent. Use fee code "CIC8" on FCC Form 159 when making payment for international bearer circuits.

## **INTERNATIONAL PUBLIC FIXED RADIO LICENSEES:**

**WHO MUST PAY:** Licensees authorized as common carriers to provide radio communications between the United States and a foreign point via microwave, HF or troposcatter systems (other than satellite earth stations) whose license was granted on or before October 1, 1997. This does not include service between the United States and Mexico and the United States and Canada using frequencies above 72 MHz. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

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<sup>4</sup> A LEO system consists of one or more satellites operating in a non-geostationary satellite constellation. Payment is required for any LEO System that has one or more satellites operating pursuant to sections 25.142(c), 25.143(e), 25.145(g), or upon certification of operation of a single satellite pursuant to section 25.121(d) as of October 1, 1997.

**FEE CALCULATION:** \$375 per call sign. Use fee code "CFR8" on FCC Form 159 when making payment for international public fixed radio service.

## **EARTH STATIONS:**

**WHO MUST PAY:** VSAT and Equivalent C-Band Antennas: Earth station systems comprising very small aperture terminals making up authorized networks operating in the 12 and 14 GHz bands that provide a variety of communications services to other stations in the network. Each system, authorized pursuant to blanket licensing procedures in Part 25 of the Rules, consists of a network of technically-identical small fixed-satellite earth stations which often includes a larger hub station. For FY 1998, entities holding these types of authorizations as of October 1, 1997, will be assessed a regulatory fee of \$165 per authorization or registration as well as a separate fee of \$165 for each associated Hub Station.

Mobile Satellite Earth Stations: Under Part 25 of the Rules, mobile satellite service providers operate under blanket licenses for mobile antennas (transceivers) which are smaller than one meter and provide voice or data communications, including position location information, for mobile platforms such as cars, buses or trucks. For FY 1998, entities holding these types of authorizations as of October 1, 1997, will be assessed a fee of \$165 per authorization or registration.

Earth Station Antennas: Transmit/Receive and Transmit Only Antennas: Persons authorized or registered under Part 25 to operate fixed-satellite earth station antennas that are operated by private carriers and common carriers to provide telephone, television, data, and other forms of communication. This category includes antennas used to transmit and receive and transmit-only. Also included in this category are telemetry, tracking and control (TT&C) earth stations and transportable earth stations. For FY 1998, holders of these types of authorizations as of October 1, 1997, will be assessed a fee of \$165 per authorization or registration.

Earth Station Antennas: Receive Only Antennas: Receive only earth stations are exempt from payment of regulatory fees.

Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

In instances in which an earth station's license limits its operational authority to a particular satellite system which is not yet operational, the regulatory fee payment for the earth station will not be due until the first satellite of the related system becomes operational pursuant to section 25.121(d) of our rules.

**FEE CALCULATION:** \$165 per authorization or registration or Hub Station. Use fee code "CAM8 " on FCC Form 159 when making payment for VSAT and Equivalent C-Band Antennas and associated Hub Stations, Mobile Satellite Earth Stations, and Transmit/Receive and Transmit

Only Earth Stations.

## **INTERNATIONAL (HF) BROADCAST STATIONS:**

**WHO MUST PAY:** Licensees of international (HF) broadcast stations whose licenses were granted on or before October 1, 1997. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

**FEE CALCULATION:** \$475 per station license. Use fee code "CRI8" on FCC Form 159 when making payment for international (HF) broadcast stations.

## **FCC FORM 159**

Regulatory fee payments must be accompanied by FCC FORM 159 ("FCC Remittance Advice"). This form has been revised and you must use the version dated July 1997. A copy of this form, with specific instructions, is attached to this Public Notice and may be used to submit fees. Reproduced forms are acceptable. Please see "Special Instructions for Completing FCC FORMs 159 and 159-C" for detailed information on how to correctly complete these forms. Unless you are submitting your information on diskette, you must list each entity separately on Forms 159/159-C. Written attachments are not acceptable. Failure to properly complete FCC Form 159/159-C will delay the processing of your regulatory fee payment.

Over the past years, payers have been allowed the option to pay for more than 50 entities by submitting the Form 159 information on diskette. That option is still available. Information on how to file electronically on diskette will be made available on a subsequent public notice.

## **WHERE TO SEND REGULATORY FEE PAYMENTS**

If sending your regulatory fee payment by mail, please address your envelope as follows:

**Federal Communications Commission  
Regulatory Fees  
P.O. Box 358835  
Pittsburgh, PA 15251-5835**

If you prefer to send your regulatory fee payment by courier to our lockbox bank, you may do so 24 hours per business day (except Federal or bank holidays). Please address your envelope and deliver it to the following address:

**Federal Communications Commission  
c/o Mellon Bank  
Three Mellon Bank Center  
525 William Penn Way  
27th Floor, Room 153-2713  
Pittsburgh, PA 15259-0001  
(Attention: FCC Module Supervisor)**

## **METHOD OF PAYMENT**

Regulatory fee payments may be made by check, money order, or by credit card (Visa or Mastercard only). When paying by credit card, please make sure you complete and sign block 28 of FCC FORM 159. Payments may also be made by wire transfer or ACH Debit. Instructions are provided below.

NOTE: We encourage arrangements to consolidate regulatory fee payments either by a single entity or by different entities into a single payment instrument. Consolidated fee payments may cover any number of service categories. Multiple fee payments may be made utilizing any of the methods of payment mentioned above. Payers who will be making a single payment for a significant number of entities and wish to submit their payment information on diskette in lieu of submitting a large number of FCC FORMs 159-C ("Advice Continuation Sheets") may do so. Specific instructions regarding diskette submission will be issued separately. No more than twenty-five (25) Form 159-C's should be manually submitted for payment. If more than twenty-five (25) Form 159-C's are to be submitted, we encourage the public to file the information on diskette.

## **WIRE TRANSFER PAYMENT INSTRUCTIONS**

A wire transfer is a transaction that you initiate via your bank. It authorizes your bank to wire funds from your account to our lockbox bank, the Mellon Bank in Pittsburgh, PA. All payments made by wire transfer must be supported by a completed FCC Remittance Advice (FCC FORM 159) and Advice Continuation Sheet (FCC FORM 159-C), if required. The FCC FORM 159 must be faxed to Mellon Bank at (412) 236-5702 at least one hour before the wire transfer on the same business day. Indicate on the top of the FCC FORM 159 "Wire Transfer - Regulatory Fee Payment." In Box (1) - Lockbox#, located at the upper left hand corner, indicate "358835." **Failure to submit the completed FCC FORM 159 will result in a delay in crediting your account. Due to Federal Reserve regulations, wire transfers received after 6:00 p.m. (EDT) will be credited the next business day.**

The following information should be provided to your bank to complete the wire transfer:

ABA Routing Number 043000261  
Receiving Bank: Mellon Pittsburgh  
BNF: FCC/ACV--9116106  
OBI Field: (Skip one space between each information item)  
"REGULATORYPAY"  
PAYER TIN (Exactly as on FCC FORM 159, Block #25)  
PAYER NAME (Exactly as on FCC FORM 159, Block #2)  
Phone: (Daytime Phone #, exactly as on FCC FORM 159, Block #9)  
LOCKBOX 358835

### **ACH DEBIT PAYMENT INSTRUCTIONS**

If you are interested in using Mellon's Customer Initiated Payment Program (CIP), a brief application form must be completed and a personal identification number (PIN) issued by the bank. Arrangements for using this process must be completed 14 days prior to submitting payment of the regulatory fee. After you have been set up for this program, you have until September 17, 1998 to submit payment to ensure processing by the deadline of September 18, 1998. Please contact Regina Dorsey, Chief, Billings & Collections Branch, Financial Operations Division at (202) 418-1995 for further details.

### **COMPLIANCE**

Please make sure your total remittance and the amount indicated on the FCC FORM 159 are in agreement. Failure to do so will delay processing. International regulatees are solely responsible for accurately accounting for all satellites, systems, and authorizations and for paying the proper regulatory fees. Any data omission, erroneous or incomplete data submission, or payment deficiency may result in a 25% monetary penalty, dismissal of pending actions, and/or revocation of any authorization. You are strongly urged to submit your payments on time and accurately in order to avoid a penalty. Additionally, the Commission will invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any regulatee failing to meet its regulatory fee payment obligations.

### **WAIVERS, REDUCTIONS AND DEFERMENTS OF REGULATORY FEES**

The Commission will consider requests for waivers, reductions or deferments of regulatory fees, in extraordinary and compelling circumstances only, upon a showing that such action overrides the public interest in reimbursing the Commission for its regulatory costs. Your regulatory fee must be paid by the due date even if a request is made for a waiver or reduction. This will ensure efficient collection in situations where a waiver or reduction is not warranted and will allow the requestor to avoid a 25% late-payment penalty if its request is denied. The regulatory fee will be refunded later if the request is granted. Only in exceptional or compelling instances (where payment of the regulatory fee with the waiver or reduction request could result in the reduction of service to the community or other financial hardship to the regulatee or licensee), will the Commission accept a petition to defer payment along with a waiver or reduction request. All requests for deferments must be filed before September 18, 1998, in order to avoid the 25% late-



payment penalty. Please submit your written waiver or reduction request to the following address:

Office of the Managing Director  
Federal Communications Commission  
1919 M. Street, N.W., Room 450  
Washington, D.C. 20554  
attn: Regulatory Fee Waiver/Reduction Request

However, submit your regulatory fee payment to the address on page 2 of this Public Notice.

### **ADDITIONAL INFORMATION**

Applicable Public Notices, and FCC FORMs 159 and 159-C are available from the Commission's Office of Public Affairs, Public Service Division and can be downloaded from the Internet (<http://www/fcc.gov> or <ftp://ftp.fcc.gov>). Text of the Report and Order including the entire Schedule of Regulatory Fees can be downloaded from the Internet. Forms may also be obtained by contacting the Forms Hotline at (800) 418-3676 outside the Washington, D.C. area, or (202) 418-3676 locally. For additional information, please contact the Public Service Division at (202) 418-0192, or write to: Federal Communications Commission, Office of Public Affairs, ATTN: Public Service Division, 1919 M Street, N.W., Washington, D.C. 20554.

### **SPECIAL INSTRUCTIONS FOR COMPLETING FCC FORMS 159 AND 159-C**

FCC FORM 159 ("FCC Remittance Advice") and, as necessary, FCC FORM 159-C ("Advice Continuation Sheet") must accompany all regulatory fee payments. FCC FORM 159 allows payers to report information on one or more payment items (e.g., revenues, call signs, or a combination of any two). Use FCC FORM 159-C to report additional payments.

FCC FORMs 159 and 159-C have been attached to this Public Notice for you to complete and remit with your payment. You may make additional copies of the forms as required. In addition to the instructions for FCC FORM 159, the following information applies specifically to international payers:

#### Block (19) - "FCC CALL SIGN/OTHER ID":

- ▶ Geostationary space station licensees should leave this block blank.
- ▶ Non-Geostationary orbit satellite regulatees should leave this block blank.
- ▶ International bearer circuit regulatees should leave this block blank.
- ▶ International public fixed radio licensees should enter their call sign.
- ▶ Earth station licensees should enter their call sign.

- ▶ International (HF) broadcast stations should enter their call sign.

**Block (20) - "PAYMENT TYPE CODES":**

- CSG8:** Use this code when making a regulatory fee payment for a geostationary satellite space station (including direct broadcast satellites). (\$119,000 per station).
- CLE8:** Use this code when making a regulatory fee payment for a non-geostationary orbit satellite system. (\$164,800 per system).
- CIC8:** Use this code when making a regulatory fee payment for a 64 KB or equivalent international bearer circuit. (\$6.00 per 64 KB circuit).
- CFR8:** Use this code when making a regulatory fee payment for an international public fixed radio license. (\$375 per call sign).
- CAM8:** Use this code when making a regulatory fee payment for an earth station. (\$165 per authorization or registration).
- CRI8:** Use this code when making a regulatory fee payment for an international (HF) broadcast station license. (\$475 per license).

**Block (21) - "QUANTITY":**

- ▶ Space station licensees (i.e., geostationary satellites or direct broadcast satellites) should enter the number of satellites in this block. Multiple technically identical geostationary satellites co-located at the same orbital location will be considered one station for the purpose of per-space station regulatory fee calculation.
- ▶ Non-geostationary orbit satellite regulatees should enter the number of satellite systems in this block.
- ▶ Entities paying for international bearer circuits should enter the number of 64 KB or equivalent circuits in this block.
- ▶ International public fixed radio licensees should enter the number of licenses in this block.
- ▶ Fixed-satellite earth station licensees should enter the number of authorizations or registrations in this block.
- ▶ All other earth station licensees (e.g., VSATs, mobile satellites and fixed-satellite antennas) should enter the number of authorizations or registrations or Hub Stations in this block.
- ▶ International (HF) broadcast station licensees should enter the number of licenses in this block.

Block (22) - "FEE DUE":

- ▶ For geostationary satellite space station regulatory fees (payment type code CSG8), multiply the amount from Block 21 ("Quantity") by \$119,000.
- ▶ For non-geostationary orbit satellite system regulatory fees (payment type code CLE8), multiply the amount from Block 21 ("Quantity") by \$164,800.
- ▶ For international bearer circuit payers (payment type code CIC8), multiply the amount from Block 21 ("Quantity") by \$6.00.
- ▶ For international public fixed radio licensees (payment type code CFR8), multiply the amount from Block 21 ("Quantity") by \$375.
- ▶ For earth station authorizations or registrations (payment type code CAM8), multiply the amount from Block 21 ("Quantity") by \$165.
- ▶ For international (HF) broadcast station licensees (payment type code CRI8), multiply the amount from Block 21 ("Quantity") by \$475.

Block (23) - "FCC CODE 1":

- ▶ Leave this block blank.

Block (24) - "FCC CODE 2":

- ▶ For geostationary space station satellites ONLY. Enter the satellite name. For multiple entries use FCC FORM 159-C or a separate sheet.
- ▶ For international bearer circuit payers, enter the company name.

Block (25) - "PAYER TIN":

- ▶ Enter the fee payer's nine digit Taxpayer Identification Number.

Block (26) - "APPLICANT TIN":

- ▶ If different from payer, enter the applicant's nine digit Taxpayer Identification Number.

Block (27) - "CERTIFICATION":

- ▶ Provide the printed name and signature of an individual owner/licensee or officer attesting to the accuracy and completeness of the information supplied.

- FCC -